IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.53949-M of 2006

DATE OF DECISION: OCTOBER 26, 2006

Gurdip Singh

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. J.S.Thind, Advocate,
for the petitioner.

Mr.N.S.Gill, AAG, Punjab.

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Petitioner Manjinder Singh @ Rajan apprehending his arrest in a non-bailable offence in case FIR No.94 dated 5.7.2006 registered under Sections 420/467/468/471/120-B IPC at Police Station Majitha, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

In this case, as per the prosecution version, petitioner Gurdip Singh, was alleged to have been paid Rs.1.00 lacs and the rest of the amount of more than Rs.6.00 lacs was paid to the other co-accused, who are residents of Delhi. Counsel for the petitioner contends that in this case all the family members have been falsely implicated. Actually, no amount was paid to Gurdip Singh. In the FIR, no date, time and place of the alleged payment has been mentioned. The said amount was not paid in presence of any independent person. Counsel further contends that in terms of the interim order dated September 8, 2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact.

In view of the above, the interim order dated September 8, 2006 is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter, the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 26, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE